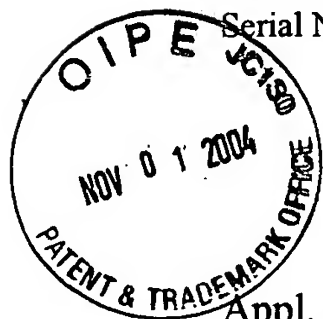


AMENDMENT UNDER 37 CFR § 1.48(a)

Serial No. 10/678,780



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/678,780
Applicant : Stephen SHEW et al.
Filed : October 3, 2003
TC/A.U. : 2664
Examiner : Wellington Chin

Confirmation No. 3412

Docket No. : 36173
Customer No. : 000116

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT OF INVENTORSHIP UNDER 37 C.F.R § 1.48(a)

Sir:

In accordance with 37 C.F.R. § 1.48(a), applicants wish to amend the inventorship of the above-noted application by adding Erning YE, of 20 Scissons Road, Kanata, Ontario, K2M 2X3, CANADA as a co-inventor. The following documents are enclosed:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date indicated below.

James M. Moore

Name of Attorney for Applicant(s)

10/29/04
Date

Signature of Attorney

11/01/2004 CCHAU1 00000183 160820 10678780
01 FC:1460 130.00 DA

- Two copies of Replacement Declaration: one copy executed by co-inventors Stephen Shew, Malcom Betts and Erning Ye and one copy executed by co-inventors Stephen Shew, Nigel Davis and Erning Ye. With these enclosed two copies of the Replacement Declaration, the Declaration has been signed by all of the co-inventors.
- Replacement Application Data Sheet;
- Petition executed by the newly added co-inventor;
- Copy of original Assignment executed by the newly added co-inventor in favour of Nortel Networks Limited (this Assignment will be filed with the U.S. Patent Office for recordation in due course); and
- Consent executed on behalf Nortel Networks Limited, the assignee of all right, title and interest in and to the application by virtue of the assignment filed on October 3, 2003 and recorded at reel/frame 014586/0732 and the assignment enclosed.

REMARKS

As a result of investigation, and discussion with the originally named co-inventors, the Applicants have concluded that Erning YE invented certain subject matter that falls within the scope of at least originally filed claim 13. Accordingly, it is believed that Erning YE should properly be named as a co-inventor in the present application.

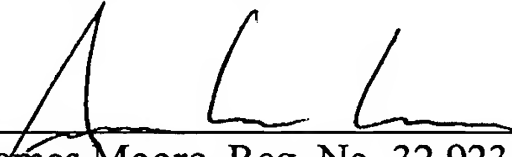
The failure to name Erning YE as a co-inventor in the declaration filed October 3, 2003 arose from the fact that the specific subject matter invented by Erning YE was directed to solving a significantly narrower problem from that of the present invention. Consequently, the overlap between the scope of the originally filed claims and the subject matter invented by Erning YE was not recognised by applicants until after filing. Clearly, the failure to name Erning YE as a co-inventor in the declaration filed October 3, 2003 occurred as the result of inadvertence and without any deceptive intent on the part of the co-inventors or the assigned.

AMENDMENT UNDER 37 CFR § 1.48(a)
Serial No. 10/678,780

Please charge the \$130.00 petition fee to our Deposit Account No. 16-0820, Order No. 36173. If there are any fees due under 37 C.F.R. §§ 1.16 or 1.17 which are required by this communication, including any fees required for an extension of time under 37 C.F.R. § 1.136, please charge such fees to our Deposit Account No. 16-0820, Order No. 36173.

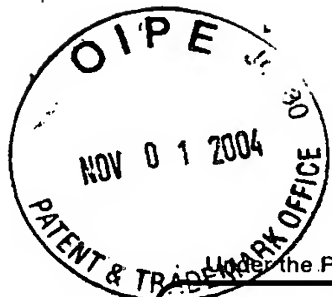
Respectfully submitted,

PEARNE & GORDON LLP

By 
James Moore, Reg. No. 32,923
Attorney for the Applicant

1801 East 9th Street
Suite 1200
Cleveland, OH 44114-3108
U.S.A.
(216) 579-1700

Date: 10/29/04



DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention CALL CONTROL USING A LAYERED CALL MODEL

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/678,780, filed on October 3, 2003,
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/ we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Stephen SHEW

Signature: *Stephen Shew*

Citizen of: Canada

Inventor two: Malcolm BETTS

Signature: *Malcolm Betts*

Citizen of: Canada

Inventor three: Nigel DAVIS

Signature: _____

Citizen of: United Kingdom

Inventor four: Erning YE

Signature: *Erning Ye*

Citizen of: Canada

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

Burden Hour Statement: This collection of information is required by 35 U.S.C. 115 and 37 CFR 1.63. The information is used by the public to file (and the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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NO. 635 P. 2/2



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 10/31/2002. OMB 0951-0042
U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)

Title of Invention: **CALL CONTROL USING A LAYERED CALL MODEL**

As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
☒ Application No. 10/878,780, filed on October 9, 2003
☐ as amended on _____ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.58, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME OF INVENTOR(S)

Inventor one: Stephen SHEW

Signature: Stephen Shew

Citizen of: Canada

Inventor two: Malcolm BETTS

Signature: _____

Citizen of: Canada

Inventor three: Nigel DAVIS

Signature: Nigel Davis

Citizen of: United Kingdom

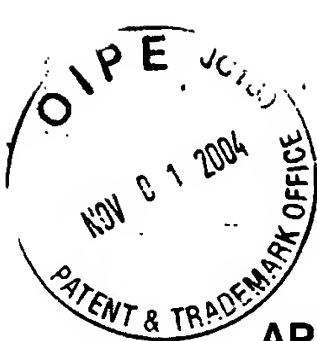
Inventor four: Erning YE

Signature: Erning Ye

Citizen of: Canada

☐ Additional inventors are being named on _____ additional form(s) attached hereto.
 Burden Hour Statement: This collection of information is required by 35 U.S.C. 116 and 37 CFR 1.53. The information is used by the public to file (and the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 123 and 37 CFR 1.14. This form is estimated to take 1 minute to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

BEST AVAILABLE COPY



APPLICATION INFORMATION

Application Type:: Regular
Title:: CALL CONTROL USING A LAYERED CALL MODEL

Attorney Docket Number:: 36173
Request for Early Publication?:: NO
Request for Non-Publication?:: NO
Suggested Drawing Figure::
Total Drawing Sheets:: 3
Small Entity?:: NO
Petition included?:: NO
Secrecy Order in Parent Appl.?:: NO

INVENTOR INFORMATION

Inventor Authority Type:: INVENTOR
Primary Citizenship Country:: CANADA
Status:: FULL CAPACITY
Given name:: STEPHEN
Middle name::
Family name:: SHEW
Name Suffix::
City of Residence:: KANATA
State or Province of Residence:: ONTARIO
Country of Residence:: CANADA
Street:: 14 NANOOK CRESCENT

City:: KANATA
State or Province:: ON
Country:: CANADA
Postal or Zip Code:: K2L 2A7

Inventor Authority Type:: INVENTOR
Primary Citizenship Country:: CANADA
Status:: FULL CAPACITY
Given name:: MALCOLM
Middle name::
Family name:: BETTS
Name Suffix::
City of Residence:: KANATA
State or Province of Residence:: ONTARIO
Country of Residence:: CANADA

Street:: 19 BATHURST STREET

City:: KANATA

State or Province:: ON

Country:: CANADA

Postal or Zip Code:: K2W 1A7

Inventor Authority Type:: INVENTOR

Primary Citizenship Country:: UNITED KINGDOM

Status:: FULL CAPACITY

Given name:: NIGEL

Middle name::

Family name:: DAVIS

Name Suffix::

City of Residence:: EDGWARE

State or Province of Residence:: LONDON

Country of Residence:: UNITED KINGDOM

Street:: 25 WHITECHURCH GARDENS

City:: EDGWARE

State or Province:: LONDON

Country:: UNITED KINGDOM

Postal or Zip Code:: HA8 6PF

Inventor Authority Type:: INVENTOR

Primary Citizenship Country:: CANADA

Status:: FULL CAPACITY

Given name:: ERNING

Middle name::

Family name:: YE

Name Suffix::

City of Residence:: KANATA

State or Province of Residence:: ONTARIO

Country of Residence:: CANADA

Street:: 20 SCISSONS ROAD

City:: KANATA

State or Province:: ONTARIO

Country:: CANADA

Postal or Zip Code:: K2M 2X3

CORRESPONDENCE INFORMATION

Correspondence Customer Number:: 00116
Phone number:: (216) 579-1700
Fax:: (216) 579-6073
E-Mail Address::

REPRESENTATIVE INFORMATION

Representative Customer Number:: 00116

ASSIGNEE INFORMATION

Assignee name:: NORTEL NETWORKS LIMITED
Street:: 2351 BOULEVARD ALFRED-NOBEL

City:: ST. LAURENT
State or Province:: QUEBEC
Country:: CANADA
Postal or Zip Code:: H4S 2A9



Attorney Docket: 36173

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Stephen SHEW, et al.
Filed: October 3, 2003
Serial No.: 10/678,780
Title: CALL CONTROL USING A LAYERED
CALL MODEL
Group Art Unit: N/A

Mail Stop Patent Application

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
U.S.A.

Sir:

PETITION

Petitioner states the following:

1. The above-identified application is an invention of the following inventors:

Stephe SHEW
Malcolm BETTS
Nigel DAVIS
Erning YE

2. I Erning YE confirm that I was omitted from the Declaration when this invention was initially filed in the United States Patent Office of October 3, 2003.

The Commissioner of Patents
and Trademarks

3. I Erning YE also confirm that the omission arose without any deceptive intention.

Executed at *Ottawa*
this *15* day of *July*, 2004.

By *Erning ye*
Erning YE
Inventor



Attorney Docket 36173
United States

**PATENT APPLICATION
ASSIGNMENT**

FOR VALUABLE CONSIDERATION, the receipt of which is hereby acknowledged, we the undersigned, whose full post office addresses are listed below our names, do hereby sell, assign and transfer to:

NORTEL NETWORKS LIMITED

(hereinafter "Nortel"), its successors, assigns and legal representatives, whose full post office address is:

**2351 Boulevard Alfred-Nobel
St. Laurent, Quebec
Canada, H4S 2A9**

all their right, title, and interest worldwide in and to the invention relating to:

CALL CONTROL USING A LAYERED CALL MODEL

as described in **United States Patent Application Serial No. 10/678,780** for letters patent filed **October 3, 2003**, as well as all rights and privileges including priority rights arising from the aforesaid application and corresponding applications in other countries, all continuations, continuations-in-part, divisions, renewals, substitutes or reissues thereof, and all the rights and privileges under any and all letters patent that may be granted for said invention.

We undertake without charges to Nortel but at its request and expense to execute all documents, take all oaths and do all reasonable acts to enable Nortel, its successors, assigns and legal representatives to procure and maintain patent or any other intellectual property protection for said invention in any and all countries and to vest title thereto to Nortel, its successors, assigns and legal representatives.

THE UNDERSIGNED hereby authorize the firm of **OGILVY RENAULT** whose full office address is **1981 McGill College Avenue, Suite 1600, Montréal, Québec, Canada H3A 2Y3** to correct clerical errors in this Assignment or to insert any further identification or other information necessary or desirable to make this Assignment suitable for recordal in a domestic or foreign Patent Office.

Erning YE
Erning YE

**20 Scissons Road
Kanata, Ontario
CANADA K2M 2X3**

[Signature]
Witness Signature

2004-07-15
Insert Date

JAMES FILE
Witness Name (Print)



ATTORNEY DOCKET. 36173
CUSTOMER NO. 00116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of: . §
Stephen SHEW, et al § Attorney Docket No.9-13528-205US
Serial No.: 10/678,780 § Group Art Unit: n/a
Filed: October 3, 2003 § Examiner: n/a
Title: CALL CONTROL USING A §
LAYERED CALL MODEL §

Commissioner for Patents
Alexandria, VA 22313-1450

CONSENT

Nortel Networks Limited, a Canadian corporation having principal offices at:

Nortel Networks Limited
2351 Boulevard Alfred-Nobel
St. Laurent, Quebec H4S 2A9, Canada

the owner by assignment of the entire right, title and interest to the invention for *CALL CONTROL USING A LAYERED CALL MODEL*, by *Stephen SHEW, Malcolm BETTS and Nigel DAVIS* and in and to the application for patent and any Letters Patent, whether domestic or foreign, that may issue thereon, by virtue of the assignment (check as applicable):

☐ Recorded Concurrently Herewith
☒ Recorded on October 3, 2003
☒ Recorded at Reel 014586 Frame 0732
☐ Copy Attached

hereby consent to the addition of inventor Erning YE to the above identified application.

NORTEL NETWORKS LIMITED

July 29, 2004
Date

Name: Jeff Measures

Title: Senior IP Council